

REMARKS:

In accordance with the foregoing, claims 1, 4, 6, 9, 11, 14 and 16 have been amended for clarification, and new claims 17-22 have been added. No new matter has been added. Thus, claims 1-22 are pending and under consideration.

REJECTION UNDER 35 U.S.C. § 102 (b):

In item 2 of the outstanding Office Action, claims 1, 2, 6, 7, 11, 12, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,978,828 ('828).

'828 discusses an apparatus and method of providing notification of content and location change of a web page when a client sends a message to a server requesting update information. The server then transmits update information to the client, and client updates the information upon determining that a predetermined threshold has been triggered.

The present invention discloses a method and system of automatically sending or pushing a notification to a user including information for attracting the user into reaccessing a homepage when a predetermined condition is satisfied.

The '828 system provides a setup window that has user assignable settings for retrieving update information of a web page (see, column 3, lines 14-20 of '828), which the user uses to send a message to a server requesting update information (see, column 8, lines 30-36, and FIG. 10 of '828). According to '828, the user may tag the web page (see, column 7, lines 51-53 of '828), select an enable box (see, column 7, lines 57-60 of '828), or request the client system to obtain update information during logon (column 7, lines 64-67 of '828) to obtain update information from the server. This means that the notification to the user of the updated information and downloading of the update information is in response to an action (a pull action) from the user.

The present invention *automatically* notifies a client system of updates when "a predetermined condition is satisfied, with reference to a point in time when the client system last accessed the homepage" (see, claims 1, 6, 7, 11, and 16 of the present invention) without requiring a request from the user. The system of the present invention makes it possible to attract a user into accessing a homepage (see, page 5, lines 20-23 of the present invention) by automatically sending update information without waiting for a request from the user. This alleviates the user from having to perform an operation to retrieve update information as is required of a user according to the '828 system. Further, the present invention allows the passive web page provider of the '828 system waiting for a request from the user to play an active role by disseminating homepage related information without waiting for a request from

the user.

Further, the system of the present invention transmits notifications that are specific to the access time of a particular user (see, page 17, line 15-37 through page 18, line 1 of the present invention). This allows the server system of the present invention to automatically send customized information to each user (see, FIG. 10 and corresponding text of the present invention) without having each user send customized requests, thus, prevents bulk transmission of data in which the users have no interest (see, page 18, lines 5-16 of the present invention) without burdening the users with the operation of inputting settings. This is unlike the '828 system that requires each user to input a request for update information using which the server sends the same if a threshold amount of update information exists (see, column 7, lines 51-67 of '828).

Thus, since '828 fails to disclose a method of automatically sending a notification including information for attracting a user to a homepage when a predetermined condition is satisfied, the present invention is not anticipated by the method of '828 that solely provides notification of change of a web page when a client sends a message to a server requesting for update information.

REJECTION UNDER 35 U.S.C. § 103 (a):

In item 8 of the outstanding Office Action, claims 3-5, 8-10, and 13-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over '828 and U.S. Patent No. 5,978,807 ('807). The rejection is traversed below and reconsideration is respectfully requested.

'807 discusses a method and apparatus of automatically downloading and storing Internet web pages upon user entry of web page addresses and access interval at which versions of the web page will be downloaded.

The Examiner acknowledges that '828 does not teach or suggest a predetermined condition formed by a lapse of a predetermined time from a set time according to which a user is sent a notification based on the user information including notifying destination information. Further, the Examiner agrees that '828 does not teach a notification made via a communicating method based on the notification destination information. The Examiner relies on '807 as providing the same. According to the '807 system, the user programs a computer system by entering an Internet address of a web page which is to be automatically downloaded (or pulled) by the computer system (see, column 4, lines 16-23 of '807). Upon the user's entry, the user specified web pages are periodically accessed and downloaded (or pulled) to the user's computer system for use by the user without connecting to the Internet (see, column 4, line 66

through column 5, line 5 of '807).

The "predetermined condition formed by a lapse of a predetermined time" of the present invention is directed to a basis for sending an automatic notification to the client system without any action from the user (see, claims 3, 8, and 13 of the present invention). According to the present invention, the user does not have to make a request to receive homepage information because the access state check program located at the server automatically sends a notification to the user when a predetermined condition, such as lapse of predetermined time, is satisfied (see, page 7, lines 17-31, and claims 3, 8, 13 of the present invention). On the other hand, similar to the system of '828, the system of '807 requires the user to make a request for web page information including setting up time interval at which a web page will be downloaded.

As recited in amended claims 4, 9, and 14, the present invention allows "the client system to input user information" and sends a notification "based on the user information". This is unlike the system of '828 and '807 that only send web page information *after* a user makes a request to retrieve the same because the system of the present invention allows for input of user information but does not require user information to disseminate information to the user.

The burden of establishing a prima facie case of obviousness based upon the prior art lies with the Examiner. In re Fritch, 23 U.S.P.Q. 2d 1780, 1783 (Fed. Cir. 1992). According to In re Fritch, the Examiner "... can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references." Since neither '828 nor '807 disclose a method of automatically sending (or pushing) a notification to a user including information for attracting the user to reaccess a homepage when a predetermined condition is satisfied, the system of '828 and '807 that require user input (or pulling) to transmit information to the user do not suggest or teach the system as disclosed by the present invention.

Accordingly, withdrawal of the rejection is requested.

NEW CLAIMS:

New claims 17-22 have been added to highlight an aspect of the invention that enables automatic transmission of information (in a pushing fashion) to a user without requiring any input (pulling) from the user when a predetermined condition has been met. For example, as recited in new claim 22, the method of the present invention comprises "pushing the homepage related information to the client system when a predetermined condition is satisfied". This affords a homepage provider (server system) to attract a user (client system) into reaccessing

the homepage information and enables the user to maintain current homepage information without performing farther operation, thus improving services provided via client-server systems.

CONCLUSION:

In accordance with the foregoing, claims 1, 4, 6, 9, 11, 14 and 16 have been amended, and new claims 17-22 have been added. Thus, claims 1-22 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 2/12/4

By: 
J. Randall Beckers
Registration No. 30,358

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501